

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,  
ALLAHABAD.

Dated: Allahabad, the 15th day of May, 2001.

Coram: Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiq Uddin, JM

ORIGINAL APPLICATION NO. 571 OF 2001

Laeeq Alam, father of Shadab Alam,  
r/o Mohalla Radha Kund,  
Near Dehat Kotwali,  
District Gonda, U.P.

..... Applicant

(By Advocate: Sri M.K. Sharma)

Versus

1. Union of India through the Chairman,  
Railway Board, New Delhi.
2. General Manager,  
North Eastern Railway Railway,  
Gorakhpur.
3. Principal,  
N.E. Railway Senior Secondary School,  
Gorakhpur.

..... Respondents

(By Advocate: Sri K.P. Singh )

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(ORAL)

(By Hon'ble Mr. S. Dayal, AM)

This application has been filed for a direction to the respondents to consider the applicant's son for appointment treating him a passed candidate. A further direction has also

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been sought to permit the applicant's son in further examination to improve the percentage of marks.

2. The applicant's case is that he qualified in the competitive written test conducted by the Railway Recruitment Board for Job Linked Vocational Course in the year 1997. He was admitted to the vocational course in North Eastern Railway Senior Secondary School, Gorakhpur. He was required to pass XII class with the subject of Railway Commercial, in order to be considered for appointment in the Railways. He appeared in three of the papers in 1999, but could not appear in the remaining papers because of ~~the~~ Jaundice. He appeared again in the XII Examinations conducted by C.B.S.E. in 2000 but he claims to have secured 0.4% less marks than 55% marks required for getting a job in the Railways. He claims that under the Railway Board's letter dated 20.5.94, the following provision has been made:-

"It is clarified that appointment may be offered to the candidates who were either placed under Compartment or who could not secure the prescribed percentage of marks, on their clearing the Compartment and securing the prescribed percentage in the subsequent chances given by CBSC for taking the examination."

He has drawn attention to the representation made by the applicant in connection with the permission to his son to appear in further examination for improving his percentage.

3.

3. We are of the opinion that the ends of justice would be better served if the Respondents are directed to decide the representation of the applicant dated 22nd January, 2001 by a reasoned and speaking order within a period of six weeks from the date of receipt of a copy of the said representation of the applicant for this purpose.

There shall be no order as to costs.

*Rafiq Uddin*

(RAFIQ UDDIN)  
JUDICIAL MEMBER

*Dayal*

(S. DAYAL)  
MEMBER (A)

Nath/